

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD	:	
	:	
Petitioner	:	No.
v.	:	
	:	Board Case Nos.:
OHIO V.I., INC. D/B/A LITTLE CAESARS	:	08-CA-181629
	:	08-CA-181658
Respondent	:	

JUDGMENT

THIS CAUSE was submitted upon the application of the National Labor Relations Board for the enforcement of a certain order on consent issued by it against Respondent, Ohio V.I., Inc. d/b/a Little Caesars, its officers, agents, successors, and assigns, on April 11, 2017, in Board Case Nos. 08-CA-181629 and 08-CA-181658; and upon the record in that proceeding, certified and filed in this Court enforcing the order.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by the United States Court of Appeals for the Sixth Circuit that the order of the National Labor Relations Board be, and the same is hereby enforced; and that the Respondent, Ohio V.I., Inc. d/b/a Little Caesars, its officers, agents, successors, and assigns, abide by and perform the directions of the Board set forth in its order. (See Attached Order and Appendix)

ENTERED BY ORDER OF THE COURT

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Clerk

NATIONAL LABOR RELATIONS BOARD

v.

OHIO V.I., INC. D/B/A LITTLE CAESARS

**ORDER**

Ohio V.I., Inc. d/b/a Little Caesars, Lorain, Ohio, its officers, agents, successors and assigns, shall

1. Cease and desist from
  - (a) Interfering with, restraining, or coercing employees in the exercise of rights guaranteed by Section 7 of the Act.
  - (b) Retaliating against employees for talking about their terms and conditions of employment, including scheduling and shift exchange practices or engaging in other concerted activities with respect to their terms and conditions of employment.
  - (c) Removing employees from their schedule and discharging employees in retaliation for their concerted activities.
  - (d) In any other manner, interfering with, restraining or coercing employees in the exercise of their Section 7 rights under the Act.
2. Take the following affirmative actions necessary to effectuate the policies of the Act.
  - (a) Within 14 days from the date of the Board's Order, make Leirimar Rodriguez and Luis Ramos whole for their loss of earnings resulting from the Respondent's July 24, 2016 action of removing them from the schedule and discharging them on July 25, 2016 because Rodriguez and Ramos engaged in concerted activities. Rodriguez is to be paid \$500.00. Ramos is to be paid \$1,100.00. Rodriguez and Ramos are not seeking reinstatement to their former positions.

- (b) Within 14 days from the date of the Board's Order, provide Rodriguez and Ramos with written confirmation that any records of their removal from the schedule and their discharges have been expunged from all of the Respondent's files.
- (c) Within 14 days of service by the Region, post at the Respondent's facility copies of the attached notice, marked Appendix A. Copies of the notice, on forms provided by the Region, after being signed by the Respondent's authorized representatives, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. The Respondent will take reasonable steps to ensure that the notices are not altered, defaced or covered by any other material.
- (d) Within 21 days after service by the Region, file with the Regional Director for Region 8 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

## **APPENDIX A**

### **NOTICE TO EMPLOYEES POSTED BY ORDER OF THE NATIONAL LABOR RELATIONS BOARD An Agency of the United States Government**

**PURSUANT TO A STIPULATION PROVIDING FOR A BOARD ORDER  
AND A CONSENT JUDGMENT OF ANY APPROPRIATE  
UNITED STATES COURT OF APPEALS**

#### **FEDERAL LAW GIVES YOU THE RIGHT TO:**

- Form, join, or assist a union;
- Choose representatives to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

**WE WILL NOT** do anything to prevent you from exercising the above rights.

**WE WILL NOT** retaliate against employees who have engaged in protected concerted activities such as concerted complaining about scheduling and shift swapping practices or questioning the fairness of our scheduling practices and our approvals of shift swapping.

**WE WILL NOT** remove employees from the schedule or discharge employees in retaliation for their protected concerted activities, including their concerted complaints regarding their terms and conditions of employment.

**WE WILL NOT**, in any other manner, interfere with your rights under Section 7 of the Act.

**WE WILL MAKE** Leirimar Rodriguez and Luis Ramos whole for losses suffered as a result of our action in removing Rodriguez and Ramos from the schedule and terminating their employment. Rodriguez and Ramos are not seeking reinstatement. **WE WILL** provide Rodriguez and Ramos with written confirmation that records of

their unlawful removal from the schedule and termination have been expunged from our files.

**OHIO V.I., INC. D/B/A LITTLE CAESARS**

The Board's decision can be found at [www.nlrb.gov/case/08-CA-181629](http://www.nlrb.gov/case/08-CA-181629) or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half St., S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

